AMENDMENTS TO THE DRAWINGS

Please find attached a Replacement Sheet of Figure 10 which has been amended to remove all language and markings to the right of the large box identified as service consumer 1000.

REMARKS

Claims 1-30 were pending at the time of the last Office Action. Applicant has amended claims 1 and 10, and canceled claims 3, 4, 7, 8, and 23-30. No new claims have been presented. Thus, claims 1, 2, 5, 6, and 9-22 are currently pending.

The Examiner has objected to claims 1 and 10 because of informalities. Applicant has amended the claims to address the Examiner's concerns.

The Examiner has rejected claim 1 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and objected to the amendment of May 5, 2009. Applicant respectfully traverses this rejection. The Examiner indicates that she "did not find that the application was provided with access to an indication of the established limit." (Office Action, Sept. 22, 2009, p. 4.) Applicant's summary states "The runtime environment makes the limit available to applications so that a correctly behaving application can know and abide by their limit." (Applicant's Specification, ¶ 0009.) Making something available to an application clearly provides support for providing access to that something. Moreover, claim 1 as originally filed stated "providing the application with access to the established limit."

The Examiner has rejected under 35 U.S.C. § 102(e) as being anticipated claims 1, 5, 6, 10, 11, 13-15, and 17-22 based on McCorkendale and under 35 U.S.C. § 103(a) claims 2 and 12 based on McCorkendale and Davis and claims 9 and 15 based on McCorkendale and Choate. Applicant respectfully traverses these rejections.

McCorkendale ("McC") allows a software developer to obtain a certification for software from a certifying authority. When a client attempts to execute the software, the client verifies the certification and sends a request to an execution authority requesting whether the software can be executed. The execution authority may permit or deny execution based on, for example, the number of execution requests that have been received from clients.

Claim 1 recites "when installing an application, establishing a limit on services of a service provider that the application is authorized to use." In rejecting claim 1, the Examiner relies on paragraph 0056 of McC as describing to "when installing an application." Pargaraph 0056 describes installing of McC "software" on a client. The Examiner also relies on McC's "certifying authority" as corresponding to the claimed "service provider" and "the request to certify the software" as corresponding to the claimed "service." (Office Action, Sept. 22, 2009, pp. 5-6.)

Given this correspondence, McC does not meet the above-quoted language of claim 1. McC's software does not request any services of the "certifying authority." McC makes it clear that the certifying authority receives a request from the "software developer" of the software. (McC, ¶ 0037.) There is nothing in McC to suggest that the certifying authority receives any requests for service from the software itself. Moreover, McC's software also does not request the execution authority for any services. Rather, McC's gatekeeper module that uses "status information provided by the execution authority 118 via an execution authority client module 616 to determine whether to permit or deny the execution of software." (McC, ¶ 0059.) Thus, it is McC's execution authority client module" that requests from the execution authority information on whether the software should be permitted or denied execution.

The Examiner relies on McC's "trust levels" as corresponding to the claimed "limit" because the trust levels indicate thresholds of execution frequency. Whenever McC's execution authority receives a request for execution, the execution authority either permits or denies the request for execution based on whether a threshold is exceeded. Claim 1 recites "providing the application with access to an indication of the established limit." McC does not suggest that the software is provided with access to either the trust levels or the thresholds.

Moreover, claim 1 makes it clear that the established limit allows the application "to not exceed the established limit." The Examiner believes that McC's denial of an

execution request corresponds to the claimed "providing ... an indication of the established limit." McC's software is never informed when the "threshold" execution request is denied. McC's software is simply not permitted to execute. Thus, McC's software cannot use any threshold "to not exceed the established limit" as recited by claim 1.

Independent claims 1 and 10 recite "under control of a runtime environment [of the consumer system]," ... determining whether the request would exceed the established limit [or misbehaving]" and "when it is determined that the request would exceed the established limit [or that the application is misbehaving], notifying the service provider that the application is misbehaving." It is not clear to applicant what the Examiner could possibly think corresponds to a runtime environment of the consumer system notifying a service provider when the established limit is exceeded. As discussed above, McC's software (or even client that executes the software) does not communicate with the certifying authority (which the Examiner believes corresponds to the claimed service provider). In addition, it is McC's execution authority that informs McC's client when execution is denied as a result of threshold being exceeded. Thus, it would make no sense for McC's client to then notify the execution authority that the software is misbehaving because the execution authority already knows that the threshold has been exceeded.

Independent claim 17 recites "when service consumers determine that the application is misbehaving, receiving notification of the misbehavior from the service consumers." McC's clients do not determine whether the software is misbehaving and then notify the certifying authority or the execution authority of such misbehavior. Rather, McC's clients simply request whether to permit execution of the software. McC's clients rely on the execution authority to determine whether a threshold number of requests for execution has been exceeded.

Based upon the above amendments and remarks, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Please charge any deficiency in fees or credit any overpayment to our Deposit Account No. 50-0665, under Order No. 418268001US from which the undersigned is authorized to draw.

Dated: __12-18-09__

Respectfully submitted,

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